

**Special Council Meeting**  
**Monday, March 29, 2021**  
**5:00 p.m.**  
**\*\*COVID-19 procedures in effect\*\***  
**Live via Facebook@<http://Facebook.com/lackawannany>**

**Meeting called to order/Pledge of Allegiance.**

**NB: Meeting being recorded.**

**Roll Call: Council: Ingram, Szymanski, Moretti, Surdyke, Marrano**  
**Dept. Heads: Law, Comptroller, Public Safety, Development,**  
**Public Works, Public Information**

**Communications From Department/Division Heads:**

**Requests Approval of Ordinance Adopting Changes to Section 230-17 of the City of Lackawanna Zoning Code Pertaining to the Bethlehem Redevelopment Area (BRA).**

1. To: Common Council of the City of Lackawanna

Re: Adoption of Changes to § 230-17 of the City of Lackawanna Zoning Code Pertaining to Bethlehem Redevelopment Area

On February 17<sup>th</sup>, 2021 my office submitted proposed changes to §230-17 of our City Code which are the land use and area restrictions pertaining to the Bethlehem Redevelopment Area (BRA).

On March 21, 2021 we subsequently submitted amended proposed changes reflecting and incorporating comments made by the Erie County Department of Environment and Planning for their review pursuant §239-m of the General Municipal Review, and also submitted Parts 1, 2, and 3 of the State Environmental Quality Review Act Full Environmental Assessment Form (SEQRA FEAF) which supports a Determination that the proposed amendments posed no significant adverse impacts on the environments.

On March 22, 2021 a Public Hearing was held to consider the proposed changes to the BRA.

We are now submitting for your consideration a Ordinance Adopting the Negative Declaration set forth in Part 3 of the SEQRA FEAF, and then adopting the proposed amendments identified in Schedule A.

**RICHARD E. STANTON, DIRECTOR OF DEVELOPMENT**

**A copy of this information is located on the City website and Facebook page.**

Moved by Marrano seconded by Szymanski to receive and file, act on ordinance.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 230-17 OF THE ZONING CODE OF THE CODE OF THE CITY OF LACKAWANNA, NY**

**WHEREAS,** From 2009 through 2018 The City of Lackawanna has adopted and thence amended an overlay district for the lands west of Route 5 under the heading of the Bethlehem Redevelopment Area (BRA), and thence a series of zoning code amendments for the BRA, all at Chapter 230-17 of the Code of the City of Lackawanna; and

**WHEREAS,** In 2018 the City of Lackawanna’s First Ward Brownfield Opportunity Area Plan was adopted which provided detailed guidelines for redevelopment of the BRA; and

**WHEREAS,** In 2019 the County of Erie completed the construction of the extension of Dona Street into the BRA, providing the first public road, water, and services to the site.

**WHEREAS,** Since the completion of the new water and sewer lines the Buffalo and Erie County Industrial Land Development Corp (ECILDC), who had acquired about 150 acres of the BRA lands zoned Light and Medium Industrial saw immediate demand for clean state-of –the-art manufacturing and distribution space along the new Dona Street Corridor; and

**WHEREAS,** In 2021 a Generic Environmental Impact Statement was completed by the ECILDC to further facilitate clean development and complimentary public amenities along the approximate 250 acres of the site in the area currently zoned BRA-Light Industrial, and BRA – Medium Industrial; and

**WHEREAS,** The City through its Departments has been actively involved in the developments in the site, and has identified need to amend the BRA zoning at the site to encourage state-of-the-art manufacturing, and distribution facilities in the site, while protecting the value of the public amenities being created at the site; and

**WHEREAS,** On or about February 17<sup>th</sup>, 2021 the Director of Development submitted a redlined Draft Proposed Amendments to the City zoning code designed to facilitate the desired clean development in accordance with the GEIS for the site, while protecting the aesthetic appeal of site amenities; and

**WHEREAS,** Pursuant to Article 8 of the Environmental Conservation Law a Long Environmental Assessment Form has been prepared and circulated prior to the adoption of the proposed Ordinance; and

**WHEREAS,** The Draft Proposed Amendments to the BRA zoning regulations were submitted for review the Erie County Department of Environment and Planning pursuant to 239-m of the general municipal law; and

**WHEREAS** The Draft Proposed Amendments were further refined to accept the County Department of Planning and Environment and are now identified in their final form as the 2021 Amendments to Chapter 230-17 of the City of Lackawanna Charter and Code attached hereto as Schedule A; and

**WHEREAS** On March 22, 2021 a Public Hearing was held by the Common Council to further facilitate public review of the Draft Proposed Amendments

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the 2021 Amendments to Chapter 230-17 of the City of Lackawanna Charter and Code identified in Schedule A attached hereto are determined to pose no adverse impacts on the environment, and are determined to be consistent with the City of Lackawanna’s duly adopted LWRP

**RESOLVED**, that the Council adopts the proposed Negative Declaration for the action of adopting the 2021 Amendments to Chapter 230-17 of the City of Lackawanna Charter and Code; and be it further

**RESOLVED** that the 2021 Amendments to Chapter 230-17 of the City of Lackawanna Charter and Code Identified in Schedule A, attached hereto are hereby adopted.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: March 29, 2021**  
**Lackawanna, New York**

Moved by Marrano seconded by Szymanski to adopt ordinance as written.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Resolution Authorizing Mayor Iafallo to Apply for Grant Money for the Warsaw Bridge.**

2. To: Honorable Council

I request that the city council authorize Mayor Iafallo to apply for grant money for the Warsaw bridge.

Thank you,

**ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS**

Moved by Marrano seconded by Ingram to receive and file, act on resolution.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 13, 2021**

**Whereas**, the bridge over Smokes Creek on Warsaw Street in the City of Lackawanna is in dire need of repair/replacement; and

**Whereas**, the City of Lackawanna is desirous of exploring possible funding to assist in engineering costs and repair costs associated with said bridge; and

**Whereas**, the Mayor has advised the City Council of possible grant money to help cover the costs to repair/remove and/or replace this bridge;

**NOW Therefore, be it resolved,**

That the City Council hereby authorizes the Mayor of the City of Lackawanna to hire Connie Miner to assist in applying for any grants available to fund any repairs or replacement for the Warsaw Street Bridge; and **be it further**

**Resolved**, that the Mayor is hereby authorized to enter into such agreements, contracts, and/or memorandum of understanding in order to effectuate the contemplated repair or replacement of the Warsaw Street Bridge as well as enter into such agreements, contract, and /or memorandum of understanding with the City's grant writer, Connie Miner.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY**

**Dated: March 29, 2021  
Lackawanna, New York**

Moved by Marrano seconded by Ingram to adopt resolution as written.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Resolution Adopting the Public Employer Health Emergency Plan and the Police Reform and Reinvention Collaborative Plan.**

3. To: Honorable Council President  
Hon. City Council Members  
714 Ridge Road  
Lackawanna, NY 14218

Dear City Council Members,

Please review and approve the attached resolutions pertaining to:

1. Public Employer Health Emergency Plan
2. Police Reform and Reinvention Collaborative Plan

Both plans are required to be adopted as a matter of municipal policy effective April 1, 2021. Copies of each have been previously provided to you for your input and review.

Thank you for your anticipated cooperation with these matters.

Respectfully,

**JOHN WOLF, DIRECTOR OF PUBLIC SAFETY**

Moved by Ingram seconded by Szymanski to receive and file, act on resolutions.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 14, 2021**

**RESOLUTION ADOPTING PUBLIC EMPLOYER HEALTH EMERGENCY PLAN, AS AMENDED, EFFECTIVE IMMEDIATELY.**

**Whereas**, New York State Labor Law Section 27-c and New York Education Law Section 2801-a, as amended, requires that all local governments implement a health emergency plan; and

**Whereas**, the City of Lackawanna has promulgated a plan which is attached hereto for Council consideration

**NOW, therefore be it resolved** as follows:

That the City of Lackawanna hereby adopts the attached Public Employer Health Emergency Plan in its entirety; and

**Be it further resolved** that the attached plan be implemented immediately, posted on the City's website, and otherwise be posted throughout City Hall and made available to all employees and Department Heads.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY**  
**A copy of this information is located on the City website and Facebook page.**

**Dated: March 29, 2021**  
**Lackawanna, New York**

Moved by Szymanski seconded by Marrano to adopt resolution as amended.  
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 15, 2021**

**RESOLUTION ADOPTING POLICE REFORM AND COLLABORATIVE PLAN, AS AMENDED; PUBLIC HEARING  
SET FOR MAY 3, 2021, 6:30 P.M.**

**Whereas**, the State of New York by authorization of New York State Gov. Andrew Cuomo, issued Executive Order No. 203 which directs police agencies and local governments to perform a comprehensive review of current police force deployments, strategies, policies, procedures and practices, and develop a plan to improve same; and

**Whereas**, the plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such a plan by local law or resolution, as appropriate, no later than April 1, 2021; and

**Whereas**, representatives of the Lackawanna Police Department, the Dir. Of Public Safety, and members of the public have formed a committee to discuss and implement policies and procedures to comply with Executive Order No. 203 and after meeting on several occasions have come up with a proposed plan; and

**Whereas**, the City of Lackawanna now moves for legislative approval of the attached New York State Police Reform and Reinvention Collaborative Plan

**NOW Therefore, Be it resolved** as follows:

The City of Lackawanna hereby adopts the attached police reform and reinvention collaborative plan effective immediately; and

**Be it further resolved** that such plan is hereby offered for additional public comment to all citizens in the locality in a public hearing on this matter shall be held on the 3<sup>rd</sup> day of May, 2021; and the Council hereby reserves the right to amend or revise the terms of such plan as made become necessary upon further public comment.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY**  
**A copy of this information is located on the City website and Facebook page.**

**Dated: March 29, 2021**  
**Lackawanna, New York**

Moved by Ingram seconded by Marrano to adopt resolution as amended, set public hearing date to May 3, 2021, 6:30 p.m.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Adjournment:**

Moved by Marrano seconded by Szymanski to adjourn meeting.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

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Frederic J. Marrano-Council President

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Jeffrey P. DePasquale - City Clerk

Any items to be placed on the agenda must be received by the City Clerk's Office by noon on the Wednesday before the scheduled meeting to be considered. Any public comments normally in person at the meeting during "Hearing from Citizens" MUST be related to topics already on the agenda and received by the City Clerk's Office no later than noon on the scheduled day of the meeting. Comments are accepted via US Mail Service, Fax @ 716-827-6453 or email at [cityclerk@lackny.com](mailto:cityclerk@lackny.com).

[www.lackawannany.gov](http://www.lackawannany.gov)